

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Date of Arrest: March 24, 2025

UNITED STATES OF AMERICA
Plaintiff,

Vs.

Benjamin LOPEZ-Barron
YOB: 2000
Citizen of United States

) Magistrate's Case No. **25-01415MJ**
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I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

COUNT ONE

On or about March 24, 2025, within the District of Arizona, Defendant Benjamin LOPEZ-Barron, did knowingly and willfully combine, conspire, confederate, and agree with persons known and unknown, to transport and move within the United States aliens who had come to, entered, and remained in the United States in violation of law, by means of transportation and otherwise, and in furtherance of such violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

All in violation of Title 8, United States Code, Sections 1324(a)(1)(v)(I) and 1324(a)(1)(B)(i), (Conspiracy to Transport an Illegal Alien).

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The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Authorized by: AUSA Ross Arellano Edwards

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ARELLANO
EDWARDS**

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ROSS ARELLANO
EDWARDS
Date: 2025.03.25
19:43:08 -07'00'

George Sosa Jr

George Sosa Jr
Border Patrol Agent
United States Border Patrol

Sworn and subscribed to by telephone, March 26, 2025, at Yuma, Arizona.

J F Metcalf

The Honorable James F. Metcalf
United States Magistrate Judge

UNITED STATES OF AMERICA
v.
Benjamin LOPEZ-Barron

Statement of Facts

I, George Sosa Jr, being duly sworn, do state the following:

1. YUMA, YUMA COUNTY, ARIZONA.

Near County 13th Street and 6E Yuma, Arizona.

2. UNDERLYING FACTS.

On March 24, 2025, Border Patrol Joshua Harper was conducting line operation duties in the Andrade, California. Yuma Border Patrol Station area of responsibility (AOR).

At approximately 1434 hours, Yuma Sector Camera Operators (854C) advised they had visual of two subjects near an area known as County 12 7/8, approximately 128 yards east of the United States and Mexico International Boundary Line. Yuma Sector Camera Operators further advised the subjects were running east and had jumped in the West Main Canal and boarded into a dark colored sedan. Agents responded at County 12 7/8 and confirmed fresh foot sign leading from the desert environment between the International Boundary Line and County 12 7/8.

At approximately 1445 hours, BPA J. Harper arrived at Yuma, Arizona, and began driving the nearby county roads attempting to locate the described vehicle. Yuma Sector Camera Operators advised having completed a video replay of the suspected load-up vehicle and confirmed to be a gray Dodge Charger that had driven east at a high rate of speed, causing a large amount of dust, on the agricultural roads that are directly next to county 12 7/8. BPA J. Harper began looking for vehicles that matched the description given by 854C. Using the information provided, BPA J. Harper knew the load vehicle would be covered with fresh dirt and possibly mud from the agricultural fields.

At approximately 1500 hours, as BPA J. Harper drove north of Avenue D, he observed a gray Dodge Charger, covered with what appeared to be a fresh layer of dirt completely covering the vehicle, approximately 3 miles from the area of the load-up location. Due to the matching vehicle description BPA J. Harper attempt to run a vehicle records check. The Charger then accelerated rapidly, driving into oncoming traffic, and

fishtailed the rear end of the vehicle as he drove through the four-way stop sign at County 11 and Avenue D. BPA J. Harper immediately began driving south on Avenue D attempting to relocate the Charger. Due to large dirt cloud caused by the Charger's reckless driving and BPA J. Harper was unable to determine the direction of travel. Agents in the area were notified via service radio. At approximately 1520 hours, BPA J. Harper spotted a gray Dodge Charger matching the description of the vehicle that evaded detection earlier on Avenue D. BPA J. Harper made the eastbound turn onto County 15 and began catching up to the Charger.

At approximately 1523 hours, BPAs J. Harper observed the Charger driving recklessly running through red lights and driving over 100 miles per hour through Avenue 3E and County 15 and turned right onto County 14. At this time Border Patrol Agent Edel Sevilano saw BPA Harper's marked Border Patrol vehicle in pursuit of the vehicle and joined the pursuit.

At approximately 1526 hours, the Charger drove north on Avenue 6E from County 14, once again reaching speeds at or above 100 miles per hour. As the Charger passed County 13, the Charger began to slow down and park on the northbound shoulder. Agents advised Yuma Sector Radio Communication they were initiating a high-risk vehicle stop. BPA J. Harper and BPA E. Sevillano exited their vehicles and began giving verbal commands to the occupants. BPA E. Sevillano instructed the driver to exit and face away from him. BPA J. Harper placed the driver, later identified as Benjamin LOPEZ-Barron, in handcuffs and placed him in the back of BPA E. Sevillano's marked vehicle. BPA J. Harper then gave verbal commands to the front passenger, later identified as Alinna MARQUEZ-Sanchez and placed her in handcuffs and into the back of BPA J. Haper's marked vehicle.

At approximately 1559 hours, BPA E. Sevillano transported LOPEZ while BPA J. Harper transported MARQUEZ to the Yuma Border Patrol Station for further questioning and processing.

Phone belonging to LOPEZ was seized as evidence for 8 USC 1324.

3. DEFENDANT'S STATEMENTS

A. DEFENDANT Benjamin LOPEZ-Barron (United States Citizen)

On March 24, 2025, at approximately 1854 hours, Supervisory

Border Patrol- Intelligence Eugenio Sardinas and Border Patrol Agent-Intelligence (BPA-I) Edgar Melendez, conducted a sworn statement on LOPEZ, Benjamin, regarding his human smuggling event resulting in an 8 U.S.C 1324 conspiracy case, of the United States vs. LOPEZ.

The following is a written synopsis of the audio and video recorded sworn statement taken at the Yuma, Arizona Border Patrol Station while utilizing a CBP approved recording device. LOPEZ was advised of his Miranda Rights at approximately 1855 hours, LOPEZ stated that he was willing to provide a statement without the presence of a lawyer.

ASU agent Melendez asked LOPEZ to give him a summary on the events of that day. LOPEZ stated that he was contacted by a Mexican phone number and said that the guy that called him spoke English. LOPEZ claimed that he could not do it because he did not have a car at that time. Later, he was able to get his mom's vehicle to use perform the job the man was offering.

ASU Melendez asked LOPEZ what the job he needed to do? LOPEZ stated that he was going to give a ride to three people but said that it ended up being only two people. LOPEZ claims that he did not know the subjects were illegal, but the job was to pick the subjects near the United States/Mexico border boundaries. LOPEZ stated that the two subjects walked over the border and that they were already on the U.S. side when he saw the two subjects. LOPEZ drove to a field that was approximately a mile away from the US/Mexico border. LOPEZ stated that the two subjects got inside of his vehicle and loaded up. LOPEZ claims that when the subjects got into his vehicle, the guy from Mexico was calling the shots and another subject by the moniker of "NK" (Later identified through previous encounters as Nickolas Baldriche) was in contact with LOPEZ. LOPEZ stated that "NK" was instructing him via phone to meet up with a red car. LOPEZ said that he was communicating with "NK" through Instagram calls.

ASU agent Sardinas and Melendez asked LOPEZ who put "NK" in contact with him, LOPEZ stated that it was "Alex," a guy that drives a white car. LOPEZ claims that he doesn't know if who he talked to was "Alex" or "NK." LOPEZ admitted that he has seen "Alex" in person, ASU agent Melendez provided LOPEZ with a photo lineup picture known as six pack. LOPEZ was able to identify subject number six as "Alex," who has been identified as Alex Esparza Sanchez a human smuggling coordinator.

LOPEZ claims that "Alex" initially put him in contact with other people to engage in human smuggling activities. LOPEZ

stated that "NK" and "Alex" hang out together and claimed that "NK" works for "Alex." A photo lineup known as a six pack was presented to LOPEZ to see if he could identify "NK." LOPEZ was able to identify subject number two as "NK," subject number two was a photo of Nickolas BALDRICHE. LOPEZ knew his name as "Nickolas" and admitted that he helps "Alex" do human smuggling activities.

LOPEZ stated that he was going to get paid \$500 US dollars per person for the smuggling load and added that he was expecting 3-4 subjects instead of two. Agents asked LOPEZ who was going to pay him for the smuggling event and he stated that most likely "Alex".

LOPEZ granted ASU agent Sardinas and Melendez consent to his cellphone and signed a written consent form. Agents asked about several conversations on WhatsApp which appeared to be regarding human smuggling. ASU agent Dioses performed a preliminary analysis of the cellphone and found a video taken during the smuggling event.

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4 . AFFIRMATION .

To the best of my knowledge and belief, the following is a list of all Border Patrol law enforcement personnel present during interviews, statements, and questioning of the Defendant, from initial contact through the writing of this document: BPAs John Law, Lee E. Dioses, Edgar Melendez-Diaz, Eugenio Sardinas.

To the best of my knowledge and belief, the following is a list of all Border Patrol law enforcement personnel not already mentioned above who were present and/or took part in other parts of this investigation (e.g., arrest, search,

seizure, proactive investigation, surveillance, etc.) from initial field contact through the writing of this document: BPAs Joshua Harper, Edel Sevillano.

Based on the foregoing, there is probable cause to believe that committed the offense as alleged in the attached complaint.

George Sosa Jr

George Sosa Jr
Border Patrol Agent
United States Border Patrol

Sworn by telephone, March 26, 2025, at Yuma, Arizona.

J F Metcalf

The Honorable James F. Metcalf
United States Magistrate Judge